

REMARKS

The Office action dated June 27, 2007, and the references cited therein, have been received, and carefully reviewed.

The objection to the drawings is obviated by appropriate amendment. A new drawing sheet depicting Figs. 6a and 6b is attached, which clearly shows the claimed features of the lugs and zipper. No new matter has been added.

Pages 5 and 11 of the specification have also been amended to include a brief description of new Figs. 6a and 6b. No new matter has been added.

An obvious typographical error has been corrected on page 11, lines 1-2 of the specification, where it will be seen that the word "tow" in line 2 has been changed to "toe".

Accordingly, favourable reconsideration of the objection to the drawings is respectfully requested.

The rejection of claim 1 under 35 USC 112, second paragraph, is obviated by appropriate amendment. Claim 1 now recites proper antecedence for the term "said dance".

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

The rejection of claims 1-5, 7-11, and 15-16 under 35 USC 102(b) as being anticipated by De Long (US 233,482) is obviated by appropriate amendment.

It is submitted that the De Long reference does not disclose or suggest the invention of claim 1, as amended.

Specifically, claim 1 has been amended to include the limitations of original claim 20, namely, that the training device includes a balancing device comprising horizontal and/or vertical bars adapted for positioning at or near said mat or mats to assist the dancer in balancing during the performance of dance movements.

Clearly, the De Long reference does not disclose or suggest a training device having the limitations of claim 1, as amended. Claims 2-5, 7-11, and 15-16 are dependent on claim 1 and are therefore believed to be allowable for the same reasons as for claim 1.

In view of the above, Applicant considers that the rejection under 35 U.S.C. 102(b) is unsustainable and should be withdrawn.

As a result of the Office Action, claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Long; claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Long in view of Kolp (US 900,105); claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over De Long in view Rothkugel (US 1,277,645); claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over De Long in view of Mitchell (US 1,815,443); claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Long in view of Kravitz (US 2,932,510); and claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Long in view of Wilkinson (US 5,066,001).

None of the cited prior art references disclose or suggest a training device having the limitations set forth in claim 1, as amended.

As discussed above, claim 1 has been amended to recite the limitations of original claim 20 that the training device includes a balancing device comprising horizontal and/or vertical bars adapted for positioning at or near said mat or mats to assist the dancer in balancing during the performance of dance movements.

De Long discloses an appliance for self-instruction in dancing, and the waltz is specifically referred to throughout the reference. Notably, this reference does not mention or suggest any other dance apart from the waltz.

Kravitz is directed to a portable ballet bar for use by ballet dancers in their practice and exercise work. Notably, Kravitz is silent with respect to the feature of a training device comprising a mat provided with a set of indicia, as the present claims require.

The Examiner contends that it would have been obvious to one having ordinary skill in the art to modify De Long's mat so as to include a balancing bar as taught by Kravitz and locate it near the mat in order to help the dancer maintain balance while learning to dance on the mat.

The Applicant respectfully disagrees with this contention on the basis that the device of De Long is Intended for use in the training of dances such as the waltz and, as such, there would be no need to provide the dancer with a balancing device. Accordingly, there is no teaching in De Long that would motivate one of ordinary skill in the art to modify the mat disclosed therein to include a balancing device.

In view of the above comments and amendments, the Applicant submits that the invention of claim 1, as amended, is not obvious over a combination of the teachings of De Long and Kravitz. Furthermore, since claims 2-19 and 21-24 depend on claim 1, it is also believed that these claims are not obvious over the cited art for the same reasons as stated for claim 1.

The Applicant further submits that none of the remaining documents disclose or suggest the features as defined in the amended claims.

Mitchell discloses a means for self teaching walking and dancing comprising the use of cardboard cut out in the shape of a footprint placed on the floor in combination with other footprints. Walking gracefully, practicing military-style walking and waltzing are all specifically referred to. Notably, none of these activities, in contrast to ballet, require the use of a balancing device. Accordingly, a person skilled in the art would not arrive at the claimed invention from the teaching of this document. In addition, as this document does not mention or suggest the usefulness of the disclosed device for ballet, there would be no motivation to combine its teaching with that of Kravitz directed to a portable balancing bar. Accordingly, the Applicant submits that the claims, as amended, are inventive over Mitchell.

Kolp discloses a dancing chart and a method for self instruction for the "square two step" and "square waltz" dances. This document also fails to disclose or mention a training device specifically for ballet dancers. For reasons provided in relation to Mitchell, Applicant submits that the claims, as amended, are inventive over Kolp.

Rothkugel discloses a chart for the teaching of dancing. The chart comprises a graphic representation of the dance steps in combination with a graphic representation of

corresponding music and may be produced either directly on the dance floor or on a strip of paper tacked onto the dancing floor. The use of this chart is described for "modern dances" and fails to mention or suggest its usefulness in relation to, specifically, ballet. Accordingly, for similar reasons as provided in relation to Mitchell or Kolp, Applicant submits that the claims, as amended, are inventive over Rothkugel.

Wilkinson discloses a portable, foldable adjustable aerobic exercise bench/step/mat comprising a plurality of individual panels secured by flexible hinges. Not only does this document fail to disclose or suggest a training device for a ballet dancer as claimed, it is in a field that is completely unrelated to that of dance training devices, let alone training devices specifically for ballet dancers. Accordingly, the Applicant submits that the claims, as amended, are inventive over Wilkinson.

Steward discloses a pad structure for use in, for example, covering a floor or a table, comprising a plurality of units which may be grouped in various ways to accommodate a range of shapes and sizes. As such, this document is in a completely different field to that of the present invention, and therefore, would not be considered as relevant by a person

skilled in the art. Accordingly, the Applicant submits that the claims, as amended, are inventive over Steward.

For all of the above reasons, it is submitted that the presently claimed invention is not disclosed or suggested by the cited prior art, and that the rejections under 35 U.S.C. 103(a) should be favorably reconsidered and withdrawn.

Applicants submit that the application is now in condition for allowance, and an early notice to that effect is earnestly solicited. If any issues remain that can be clarified by telephone, Examiner Wert is encouraged to contact Applicants' Representative at the number indicated below.

Applicants hereby petition the Commissioner for Patents to extend the time for reply to the notice dated June 27, 2007, for three (3) months from September 27, 2007, to December 27, 2007. A duly completed credit card authorization form is attached to effect payment of the extension fee.

Respectfully submitted,
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